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EXAMINER

WANG, JIN CHENG

ART UNIT PAPER NUMBER

2672

DATE MAILED: 06/01/2004

20

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/557,035

Applicant(s)

AMEMIYA, RYOJI

Examiner

Jin-Cheng Wang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Response to Amendment

1. The amendment filed on 04/12/2004 has been entered. Claims 1, 3, 7, 9, and 13-14 have been amended. Claims 1-17 are pending in the application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martinez et al. U.S. Patent No. 6,137,468 (hereinafter Martinez), and further in view of Fishkin et al. U.S. Patent No. 6,630,922 (hereinafter Fishkin).

4. Claim 1:

(1) Martinez teaches an information processing apparatus (e.g., figure 2) comprising:

A display screen (e.g., figures 4A-4D; column 3, lines 5-25);

Posture detecting means for detecting an angular component of a change of posture of the display screen (e.g., figures 5A-10; column 5, lines 5-39);

Displaying direction control means for displaying the plurality of separate images on said display screen, and for controlling a direction of display of the selected image (figures 5A-6C)

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by rotating the selected image according to a rotation of said display screen determined by said posture detecting means (e.g., figure 5A-10; column 4, lines 40-50; column 5, lines 40-67; column 6, lines 1-67; column 7, lines 1-20) and not rotating at least one of the other of the plurality images (See Figures 6A-6C wherein the block 602 is not rotated while the window 600 is rotated according to the orientation of the display screen).

(2) Martinez is silent to the means of selecting an image of a plurality of separate images configured to be displayed on the display screen.

(3) Fishkin teaches the means of selecting an image of a plurality of separate images configured to be displayed on the display screen (Fishkin discloses in Fig. 3-4 and 20-23 and column 9 of selecting an image object from a plurality of separate image objects configured to be displayed on the display screen).

(4) It would have been obvious to one of ordinary skill in the art to have incorporated the Fishkin's selection means into the Martinez's display device because Martinez suggests selecting an image (600) to be rotated and selecting an image (602) not to be rotated and therefore Martinez suggests the claim limitation of the selection means for selecting an image (See Figures 6A-6C).

(5) One having the ordinary skill in the art would have been motivated to do this because it would have provided a selection means so that a particular image can be selected to be rotated while other images remain unchanged in response to the display screen orientation (See Martinez Figures 6A-6C) and selection means so that user can manipulate the selected image object (Fishkin column 1, lines 60-67; column 2, lines 1-12; Figures 20-23; columns 9-12).

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Claim 2:

Claim 2 recites all the limitations of claim 1 and adds the limitation of a plurality of windows. Martinez clearly teaches a plurality of windows (e.g., figures 5A-5C; column 4, lines 40-50; column 5, lines 40-67; column 6, lines 1-67; column 7, lines 1-20).

Claim 3:

(1) Martinez teaches an information processing apparatus (figure 2) comprising:

A display screen (e.g., figures 4A-4D; column 3, lines 5-25);

Posture detecting means for detecting an angular component of a change of posture of the display screen (e.g., figure 5A-10; column 5, lines 5-39);

Displaying direction control means for displaying the images on said display screen, and for controlling a direction of display of the one of the images by rotating said image (e.g., figures 5A-6C) according to a rotation of the display screen determined by said posture detecting means; wherein said displaying direction control means controls the direction of display of said image by rotating said image according to the rotation of the display screen beyond a predetermined (e.g., figure 5A-10; column 4, lines 40-50; column 5, lines 40-67; column 6, lines 1-67; column 7, lines 1-20) and not rotating at least one of the other of the plurality images (See Figures 6A-6C wherein the block 602 is not rotated while the window 600 is rotated according to the orientation of the display screen).

(2) Martinez is silent to the means of selecting an image of a plurality of separate images configured to be displayed on the display screen.

(3) Fishkin teaches the means of selecting an image of a plurality of separate images configured to be displayed on the display screen (Fishkin discloses in Fig. 3-4 and 20-23 and column 9 of selecting an image object from a plurality of separate image objects configured to be displayed on the display screen).

(4) It would have been obvious to one of ordinary skill in the art to have incorporated the Fishkin's selection means into the Martinez's display device because Martinez suggests selecting an image (600) to be rotated and selecting an image (602) not to be rotated and therefore Martinez suggests the claim limitation of the selection means for selecting an image (See Figures 6A-6C).

(5) One having the ordinary skill in the art would have been motivated to do this because it would have provided a selection means so that a particular image can be selected to be rotated while other images remain unchanged in response to the display screen orientation (See Martinez Figures 6A-6C) and selection means so that user can manipulate the selected image object (Fishkin column 1, lines 60-67; column 2, lines 1-12; Figures 20-23; columns 9-12).

Claim 4:

The claim 4 encompasses the same scope of invention as that of claim 3 except additional claimed limitation that the displaying direction control means controls the direction of display of said image by rotating said image when the display screen remains rotated beyond the predetermined range after a predetermined time. However, Martinez further discloses the claimed limitation that the displaying direction control means controls the direction of display of

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said image by rotating said image when the display screen remains rotated beyond the predetermined range after a predetermined time (e.g., figure 10; column 4, lines 40-50; column 5, lines 40-67; column 6, lines 1-67; column 7, lines 1-20).

Claim 5:

The claim 5 encompasses the same scope of invention as that of claim 1 except additional claimed limitation that the displaying direction control means controls the direction of display of said selected image by rotating said selected image according to the rotation of the display screen beyond a predetermined range. However, Martinez further discloses the claimed limitation that the displaying direction control means controls the direction of display of said selected image by rotating said selected image according to the rotation of the display screen beyond a predetermined range (e.g., figure 10; column 4, lines 40-50; column 5, lines 40-67; column 6, lines 1-67; column 7, lines 1-20).

Claim 6:

The claim 6 encompasses the same scope of invention as that of claim 5 except additional claimed limitation that the displaying direction control means controls the direction of display of said selected image by rotating said selected image when the display screen remains rotated beyond the predetermined range after a predetermined time.

However, Martinez further discloses the claimed limitation that the displaying direction control means controls the direction of display of said selected image by rotating said selected image when the display screen remains rotated beyond the predetermined range after a

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predetermined time (e.g., figure 10; column 4, lines 40-50; column 5, lines 40-67; column 6, lines 1-67; column 7, lines 1-20).

5. Claims 7-12:

The claims 7-12 are a rephrasing of claims 1-6 in a method form, respectively. The claims are rejected for the same reason as set forth in claim 1-6.

6. Claims 13-17:

The claims 13-17 encompass the same scope of invention as those of claims 1, 3-6, except additional claimed limitation of "the medium for storing the program". However, Martinez further discloses the claimed limitation of "the medium for storing the program" (e.g., figure 2; column 7, lines 20-35).

Remarks

7. Applicant's arguments, filed 04/12/2004, paper number 19, have been fully considered but they are not deemed to be persuasive.

8. Applicant argues in essence with respect to the Claim 1 and similar claims that:

(A) "Applicants respectfully assert that Martinez does not teach, however, the claimed features of selecting one of multiple separate images and controlling a direction of display by rotating the one image and not rotating another of the multiple images, as recited in each of independent Claims 1, 3, 7, 9, 13 and 14."

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In response to the arguments in (A), Martinez teaches selecting an image object such as the window 600 (Figures 6A-6C) to be rotated and not selecting the other image object such as 602. The image objects 600 and 602 are separate image objects, i.e., the image object 602 just overlays on the window 600, but not a part of the window and therefore the image objects 600 and 602 constitute a plurality of image objects as claimed. Martinez therefore teaches rotating one of the plurality of the image objects while not rotating one of the plurality of the image objects.

Fishkin teaches the means of selecting an image of a plurality of separate images configured to be displayed on the display screen (Fishkin discloses in Fig. 3-4 and 20-23 and column 9 of selecting an image object from a plurality of separate image objects configured to be displayed on the display screen). Moreover, Fishkin teaches *rotating* a window page from the landscape mode to the portrait mode and vice versa in Fig. 22.

It would have been obvious to one of ordinary skill in the art to have incorporated the Fishkin's selection means into the Martinez's display device because Martinez suggests selecting an image (600) to be rotated and selecting an image (602) not to be rotated and therefore Martinez suggests the claim limitation of the selection means for selecting an image (See Figures 6A-6C).

One having the ordinary skill in the art would have been motivated to do this because it would have provided a selection means so that a particular image can be selected to be rotated while other images remain unchanged in response to the display screen orientation (See Martinez Figures 6A-6C) and selection means so that user can manipulate the selected image object (Fishkin column 1, lines 60-67; column 2, lines 1-12; Figures 20-23; columns 9-12).

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jin-Cheng Wang whose telephone number is (703) 605-1213. The examiner can normally be reached on 8:00 - 6:30 (Mon-Thu).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jcw


JEFFERY BRIER
PRIMARY EXAMINER